



1712-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Jennings )  
Application No. 09/696,458 ) Examiner: L. Lum  
Filed: October 25, 2000 ) Group Art Unit: 3611  
For: After-Market Dashboard Bezel for an )  
Automobile having a Number of Instrument )  
Holders and Associated Method )  
MMB Docket No. 1712-0001 ) May 3, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 3, 2006  
(Date of Deposit)

Michael D. Beck

Name of person mailing Document or Fee

Signature of person mailing Document or Fee

May 3, 2006

Date of Signature

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, Applicant hereby discloses the following documents listed below and identified on the attached Form PTO-1449. Copies of the documents identified below are enclosed regarding the above-identified patent application.

05/05/2006 RLE333 00000003 09696458

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## Documents

1. AutoMeter's Brief in Support of Its Motion to Dismiss the Complaint, January 21, 2005 (10 pages)
2. Answer of Gauge Works, LLC., January 21, 2005 (6 pages)
3. Response to AutoMeter's Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), February 8, 2005 (17 pages)
4. Case Management Plan, February 18, 2005 (13 pages)
5. Gauge Works, LLC's Responses to Douglas Jennings Requests for Admissions 1-4 and Requests for Production of Documents, February 28, 2005 (22 pages)
6. Entry on Defendant's Motions to Dismiss Plaintiff's First Amended Complaint, etc., March 28, 2006 (16 pages)
7. Jennings Objections to the Report and Recommendation of Plaintiff's First Amended Complaint, April 14, 2006 (21 pages)
8. Letter regarding Production from Gauge Works, March 22, 2005 (2 pages)
9. Production from Gauge Works, undated (14 pages)
10. Declaration of Warren Hall, Jr., June 8, 2005 (1 page)
11. Advertising Release signed by Warren Hall, Jr., October 25, 2000 (1 page)
12. Production from Auto Meter, undated (5 pages)
13. Production from Auto Meter, October 24, 2000 (4 pages)
14. Production from Auto Meter, November 13, 2000 (4 pages)

## REMARKS

In a prior Information Disclosure Statement, Applicant identified a pending litigation before the U.S. District Court for the Southern District of Indiana, Cause No. 1:04-cv-1862, and included a copy of Applicant's Amended Complaint filed in that case. Applicant has now provided copies of the above-mentioned documents in an abundance of caution with regard to the continuing duty of disclosure under 37 C.F.R. §1.56. It is not believed that any of these documents specifically bear on the patentability of the invention claimed in the present application. However, in view of the issues raised in the appeal pending on this application, some of the information set forth in the enclosed documents may warrant consideration by the Board of Patent Appeals and/or the Patent Examiner if the application is remanded.

Applicant offers the following brief explanation of the context of these documents within the pending litigation. These explanations are not intended to constitute

admissions as to the veracity, authenticity or reliability of any of the documents or their contents.

Document 1 is the brief of one of the defendants, AutoMeter Products, Inc., in support of its motion to dismiss the original complaint filed by Applicant Jennings. This brief includes this defendant's characterization of the allegations included in the original complaint.

Document 2 is the answer of the other defendant, Gauge Works, LLC., to Applicant's complaint. This answer includes Gauge Works denials of various allegations in the complaint, including its specific denials in paragraphs 14 and 15.

Document 3 is plaintiff/Applicant's response to AutoMeter's motion to dismiss and includes Applicant's explanation of the relevant facts and response to AutoMeter's statements.

Document 4 is the Case Management Plan issued by the federal magistrate. This document includes each parties' synopsis of the facts at issue in that litigation at pages 3-6.

Document 5 includes responses by Gauge Works to discovery requests, including Gauge Works' denials of requests for admission at page 4.

Document 6 is an entry by the federal magistrate essentially dismissing plaintiff/Applicant's complaint on various grounds unrelated to the pending patent application. Document 7 is plaintiff/Applicant's response to that entry including statements regarding the facts in this case.

Document 8 is letter from Gauge Works explaining the source of the production documents included among Document 9. None of these pages appears to show an instrument cluster or associated bezel.

Document 10 is an uncorroborated declaration of Warren Hall provided to counsel for Applicant. The declaration did not include any other document or photograph illustrating the gauge bezel referred to therein.

Document 11 is a document produced by AutoMeter constituting a release by Warren Hall, the declarant in Document 10, dated October 25, 2000. This release appears to pertain to the photographs produced by AutoMeter in Document 12.

Documents 13 and 14 are documents produced by AutoMeter that appear to be identical except for a notation at the bottom of the last page of each document. That notation is "Sema Flyer October 24, 2000" on Document 13 and "PRI Flyer November 13, 2000" on Document 14.

The Commissioner is hereby authorized to charge any fee deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees

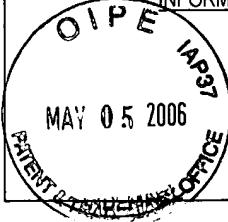
Respectfully submitted,

MAGINOT, MOORE & BECK LLP



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|---|-------------------------------|----------------------------|
| <br>FORM PTO-1449<br>INFORMATION DISCLOSURE STATEMENT | MMB DOCKET NO. 1712-0001      | APPLICATION NO. 09/696,458 |
|   | APPLICANT: Jennings           |                            |
|   | FILING DATE: October 25, 2000 | GROUP ART UNIT 3611        |
|   | Examiner: L. Lum              |                            |

| U.S. PATENT DOCUMENTS |    |                 |      |      |       |           |             |
|-----------------------|----|-----------------|------|------|-------|-----------|-------------|
| EXAMINER INITIAL      |    | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|                       | AA |                 |      |      |       |           |             |
|                       | AB |                 |      |      |       |           |             |
|                       | AC |                 |      |      |       |           |             |
|                       | AD |                 |      |      |       |           |             |
|                       | AE |                 |      |      |       |           |             |
|                       | AF |                 |      |      |       |           |             |
|                       | AG |                 |      |      |       |           |             |
|                       | AH |                 |      |      |       |           |             |
|                       | AI |                 |      |      |       |           |             |
|                       | AJ |                 |      |      |       |           |             |
|                       | AK |                 |      |      |       |           |             |

#### FOREIGN PATENT DOCUMENTS

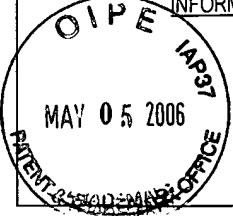
| EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|------------------|----|-----------------|------|---------|-------|-----------|-------------|
|                  | AL |                 |      |         |       |           | Yes<br>No   |
|                  | AM |                 |      |         |       |           | Yes<br>No   |
|                  | AN |                 |      |         |       |           | Yes<br>No   |
|                  | AO |                 |      |         |       |           | Yes<br>No   |
|                  | AP |                 |      |         |       |           | Yes<br>No   |

#### OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |   |   |
|--|----|---|---|
|  | AQ | 1 | AutoMeter's Brief in Support of Its Motion to Dismiss the Complaint, January 21, 2005 (10 page)                                       |
|  | AR | 1 | Answer of Gauge Works, LLC., January 21, 2005 (6 pages)   |
|  | AS | 1 | Response to AutoMeter's Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), February 8, 2005 (17 pages) |

| EXAMINER | DATE CONSIDERED |
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance; consider. Include copy of this form with next communication to Applicant.

|  |                               |                            |
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|------------------|----|-----------------|------|------|-------|-----------|-------------|
|                  | BA |                 |      |      |       |           |             |
|                  | BB |                 |      |      |       |           |             |
|                  | BC |                 |      |      |       |           |             |
|                  | BD |                 |      |      |       |           |             |
|                  | BE |                 |      |      |       |           |             |
|                  | BF |                 |      |      |       |           |             |
|                  | BG |                 |      |      |       |           |             |
|                  | BH |                 |      |      |       |           |             |
|                  | BI |                 |      |      |       |           |             |
|                  | BJ |                 |      |      |       |           |             |
|                  | BK |                 |      |      |       |           |             |

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|------------------|----|-----------------|------|---------|-------|-----------|-------------|
|                  | BL |                 |      |         |       |           | Yes<br>No   |
|                  | BM |                 |      |         |       |           | Yes<br>No   |
|                  | BN |                 |      |         |       |           | Yes<br>No   |
|                  | BO |                 |      |         |       |           | Yes<br>No   |
|                  | BP |                 |      |         |       |           | Yes<br>No   |

#### OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|    |   |  |
|----|---|--|
| BQ | 2 | Case Management Plan, February 18, 2005 (13 pages)   |
| BR | 2 | Gauge Works, LLC's Responses to Douglas Jennings Request for Admissions 1-4 and Requests for Production of Documents, February 28, 2005 (22 pages) |
| BS | 2 | Entry on Defendant's Motions to Dismiss Plaintiff's First Amended Complaint, etc., March 28, 2006 (16 pages)                                       |

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|                       | CB |                 |      |      |       |           |             |
|                       | CC |                 |      |      |       |           |             |
|                       | CD |                 |      |      |       |           |             |
|                       | CE |                 |      |      |       |           |             |
|                       | CF |                 |      |      |       |           |             |
|                       | CG |                 |      |      |       |           |             |
|                       | CH |                 |      |      |       |           |             |
|                       | CI |                 |      |      |       |           |             |
|                       | CJ |                 |      |      |       |           |             |
|                       | CK |                 |      |      |       |           |             |

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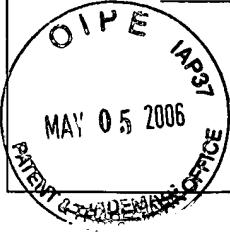
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|                  | CM |                 |      |         |       |           | Yes<br>No   |
|                  | CN |                 |      |         |       |           | Yes<br>No   |
|                  | CO |                 |      |         |       |           | Yes<br>No   |
|                  | CP |                 |      |         |       |           | Yes<br>No   |

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |          |  |
|--|----|----------|--|
|  | CQ | <u>3</u> | Jennings Objections to the Report and Recommendation of Plaintiff's First Amended Complaint, April 14, 2006 (21 pages) |
|  | CR | <u>3</u> | Letter regarding Production from Gauge Works, March 22, 2005 (2 pages)   |
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|                       | CH |                 |      |      |       |           |             |
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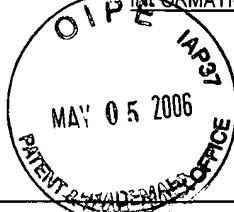
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|                  | CM |                 |      |         |       |           | Yes<br>No   |
|                  | CN |                 |      |         |       |           | Yes<br>No   |
|                  | CO |                 |      |         |       |           | Yes<br>No   |
|                  | CP |                 |      |         |       |           | Yes<br>No   |

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|--|----|---|--|
|  | CQ | 4 | Declaration of WarrenHall, Jr., June 8, 2005 (1 page)                    |
|  | CR | 4 | Advertising Release signed by Warren Hall Jr., October 25, 2000 (1 page) |
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|                  | DA |                 |      |      |       |           |             |
|                  | DB |                 |      |      |       |           |             |
|                  | DC |                 |      |      |       |           |             |
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|                  | DE |                 |      |      |       |           |             |
|                  | DF |                 |      |      |       |           |             |
|                  | DG |                 |      |      |       |           |             |
|                  | DH |                 |      |      |       |           |             |
|                  | DI |                 |      |      |       |           |             |
|                  | DJ |                 |      |      |       |           |             |
|                  | DK |                 |      |      |       |           |             |

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|                  | DL |                 |      |         |       |           | Yes<br>No   |
|                  | DM |                 |      |         |       |           | Yes<br>No   |
|                  | DN |                 |      |         |       |           | Yes<br>No   |
|                  | DO |                 |      |         |       |           | Yes<br>No   |
|                  | DP |                 |      |         |       |           | Yes<br>No   |

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

|  |    |   |   |
|--|----|---|---|
|  | DQ | 5 | Production from Auto Meter, October 24, 2000 (4 pages)  |
|  | DR | 5 | Production from Auto Meter, November 13, 2000 (4 pages) |
|  | DS | 5 |   |

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